

Gordon Rees Scully Mansukhani, LLP
3 Parkcenter Drive, Suite 200
Sacramento, CA 95825

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA – FRESNO DIVISION

ANTHONY VINEYARDS,)	CASE NO. 1:20-CV-00506-JLT-SAB
)	
Plaintiff,)	STIPULATION AND ORDER TO
)	CONTINUE PRETRIAL CONFERENCE
vs.)	
)	
NATURAL PLANT PROTECTION;)	
UPL NA INC.; ARYSTA)	
LIFESCIENCE NORTH AMERICA,)	
LLC and DOES 1-25, Inclusive,)	
)	
Defendants.)	

WHEREAS, pursuant to this Court’s Scheduling Order entered July 2, 2020 [ECF No. 12], the Pretrial Conference in this matter is presently scheduled for May 16, 2022 at 8:30 a.m. in Courtroom 4;

WHEREAS, Defendants Arysta North America, LLC and UPL NA Inc.’s motions to exclude testimony of Plaintiff’s retained expert Gary Osteen and non-retained expert John Kovacevich filed on October 14, 2021 [ECF Nos. 39 and 40] remain under submission for the Court’s ruling;

WHEREAS, Defendant Nutrien AG Solutions, Inc.’s Rule 12(b)(6) Motion to Dismiss filed on November 4, 2021 [ECF No. 47] remains under submission for the Court’s ruling;

WHEREAS, Defendants Arysta North America, LLC and UPL NA Inc.’s motion for summary judgment and/or partial summary judgment filed on December 14, 2021 [ECF No. 60] remains under submission for the Court’s ruling;

WHEREAS, Defendant Brandt Consolidated, Inc.’s motion for summary judgment and/or partial summary judgment filed on December 14, 2021 [ECF No. 61] remains under

1 submission for the Court's ruling;

2 WHEREAS, the Court's rulings on the above-referenced motions will inform the
3 parties' respective positions with respect to the matters to be addressed at the Pretrial
4 Conference and may affect the scope of the claims and/or presentation of evidence with
5 respect thereto at trial;

6 THEREFORE, in the interests of judicial economy and efficiency, Plaintiff Anthony
7 Vineyards ("Plaintiff") and Defendants Arysta LifeScience North America, LLC; UPL NA
8 Inc.; Nutrien AG Solutions, Inc.; and Brandt Consolidated, Inc. hereby STIPULATE and agree
9 that the Pretrial Conference currently scheduled for May 16, 2022 be vacated and rescheduled
10 following the Court's rulings on the above-referenced motions.

11
12 STIPULATED AND AGREED TO:

13 Dated: April 13, 2022

GORDON REES SCULLY
MANSUKHANI, LLP

14 By: /s/ Matthew P. Nugent
15 P. Gerhardt Zacher
16 Thomas J. Tobin
17 Matthew P. Nugent
18 Attorneys for Defendants
19 ARYSTA LIFESCIENCE NORTH
20 AMERICA, LLC and UPL NA INC.

21 Dated: April 13, 2022

THE LAW OFFICE OF RALPH B. WEGIS

22 By: /s/ Ralph B. Wegis
23 (as authorized on April 12, 2022)
24 Ralph B. Wegis
25 Attorneys for Plaintiff
26 ANTHONY VINEYARDS

27 Dated: April 13, 2022

MCCORMICK, BARSTOW, SHEPPARD,
WAYTE & CARRUTH, LLP

28 By: /s/ Karen L. Lynch
(as authorized on April 12, 2022)
Attorneys for Defendant BRANDT
CONSOLIDATED, INC.

Dated: April 13, 2022

DKM LAW GROUP, LLP

By: /s/ Joshua N. Kastan
(as authorized on April 12, 2022)
Attorneys for Defendant NUTRIEN
AG SOLUTIONS, INC.

ORDER

Having reviewed the foregoing stipulation of the parties, and finding good cause therefore, the Court orders as follows:

1. The Pretrial Conference scheduled for May 16, 2022 is hereby VACATED; and
2. The Pretrial Conference shall be rescheduled by the Court following the Court's rulings on the pending motions (see Docs. 39-40, 47, 60-61.)

IT IS SO ORDERED.

Dated: **April 14, 2022**


UNITED STATES DISTRICT JUDGE

Gordon Rees Scully Mansukhani, LLP
3 Parkcenter Drive, Suite 200
Sacramento, CA 95825